#### **BOARD OF ADJUSTMENT**

# Zoning Administration Division Development Services Department (DSD) 201 North Stone Avenue, Tucson, Arizona 85701

#### \*\*\* NOTICE OF DECISIONS \*\*\*

DATE OF PUBLIC HEARING May 27, 2009

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J)&(K).

CASE NO.

THE APPLICANT

## C10-09-08 STAHL RESIDENCE SHED/T. AND C. STAHL, 9170 E. SHOWCASE LANE, RX-1

The applicants' property is a one (1) acre lot developed with a single family dwelling and detached accessory structure (shed). Tucson *Land Use Code (LUC)* Sections applicable to this project include, in part, the following: Section 2.3.2., which provides the development criteria applicable to residential development in the RX-1 zone; and Sections 3.2.5 and 3.2.6 which provide the building height and setback criteria applicable to detached accessory structures. The applicants are requesting the following variances: **1)** Allow the detached shed to remain as constructed with an increased height of sixteen (16) feet; and, **2)** Reduce perimeter yard (setback) of the shed from twelve (12') feet to three feet four inches (3'4"), as shown on the submitted plans.

**DECISION: VARIANCE 1 DENIED.** 

**DECISION: VARIANCE 2 GRANTED SUBJEC TO THE FOLLOWING CONDITION:** 

A. Shed height to be reduced to twelve (12') feet or less within 30 days of the Board's decision.

By LUC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

### **IMPORTANT NOTICE**

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD' DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION WHICH PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE DEPARTMENT OF NEIGHBORHOOD RESOURCES FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

If you want further information, please call Russlyn Wells at 837-4948 or Wayne Bogdan at 837-4946.

Sue Montes, Secretary Board of Adjustment

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